

21 JUN 74

MEMORANDUM FOR: Deputy Director for Administration
Deputy Director for Intelligence
Deputy Director for Operations
Deputy Director for Science & Technology
Executive Secretary, Office of the DCI

FROM : F. W. M. Janney
Director of Personnel

SUBJECT : Fair Labor Standards Act Implementation

REFERENCE : Fair Labor Standards Amendments of 1974

STATINTL

1. The Office of Personnel has for some months been making a major effort to comply with revised instructions for applying the provisions of the Fair Labor Standards Act. The underlying concepts of FLSA are intended as remedial social legislation designed to assure workers of an adequate living wage, prohibit age discrimination, ensure equal pay regardless of sex, prohibit the use of child labor and discourage the use of an employee's time if compensation is not intended (overtime provisions).

2. The Central Intelligence Agency is not exempt from the provisions of FLSA and must by law comply. The Civil Service Commission (CSC) is empowered to oversee and inspect Agency compliance and employees may complain or appeal directly to the CSC or the Federal District Courts without consultation within CIA. It is extremely important, therefore, that we comply to the fullest in order to keep appeals and complaints to a minimum.

3. Our immediate concerns are with the compliance of the overtime provisions of the Act. The instructions issued by the CSC in this area are extremely complex and we are finding that our base of information, primarily the position description, does not contain complete data of the kinds required. It has, therefore, become necessary that we request from your components supplemental information to existing position descriptions and, in a number of instances, complete new descriptions. I realize that these requests will place additional burdens on your components. However, we will endeavor to restrict our requests to only that information required to make the proper

determinations under the law. Although we will be contacting your components directly, I earnestly solicit your assistance in emphasizing to them the importance of FLSA compliance and their need to provide this office promptly with FLSA supportive data as requested.

(Signed) F. W. M. Janney

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